

**TITLE 8 DEVELOPMENT CODE**  
**DIVISION 8: SPECIFIC USE DESIGN STANDARDS**  
**CHAPTER 11: WIRELESS TELECOMMUNICATIONS FACILITIES.**  
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**88.1101 Purpose.**

The purpose of this chapter is to establish guidelines for the siting of towers and antennas. The goals of this chapter are to:

- (a) Encourage users of towers and antennas to locate them, to the greatest extent possible, in areas where the adverse impact on the county is minimal;
- (b) Encourage users of towers and antennas to design and configure them in a way that minimizes the adverse visual impact of the towers and antennas;
- (c) Enhance the ability of the providers of telecommunications services to provide such services to the county quickly, effectively, and efficiently, with minimal impact to the visual and economic character of the County;
- (d) Encourage the location of towers in non-residential areas and minimize the total number of towers throughout the county; and
- (e) Encourage the joint use of new and existing tower sites such as existing utility towers.

Adopted Ordinance 3801 (2000)

**88.1105 Applicability.**

This chapter shall apply to any wireless telecommunication project for which land use approval has not been properly issued by the San Bernardino County Land Use Services Department prior to the effective date of this chapter.

Adopted Ordinance 3801 (2000)

**88.1110 Additional Submittal Requirements.**

In addition to the submittal requirements of the Conditional Use Permit application, the following shall be submitted for all telecommunications facilities projects subject to a Conditional Use Permit:

- (a) Detailed documentation identifying other sites considered for the project, explaining the rationale for selection of the proposed site in view of the relative merits of any of the feasible alternatives, and enumerating the specific reasons for the rejection of the alternative sites. Such documentation shall include a discussion of the project relative to the general requirements outlined in Section 88.1115 below.
- (b) A discussion of the potential for co-location at an existing or a new site.
- (c) Visual impact analyses or demonstrations (including mock-ups and or photomontages) demonstrating views from public areas as well as from private residences. The analysis shall be "worst case" and shall assess the cumulative impacts of the proposed facility, including the provision of electrical service to the site, and other existing and foreseeable telecommunication facilities in the area, and shall identify and incorporate all feasible mitigation measures consistent with the technological requirements of the proposed telecommunication service.
- (d) Where multiple sites are a part of a new communications network, the applicant shall submit documentation detailing to the greatest extent possible the scope of the network to include, but not limited to, proposed locations, tower heights, co-location potential, and stealthing potential of the network sites, so that the network can be reviewed and evaluated as a whole
- (e) Where there is a potential for sensitive noise receptors, adequate information shall be provided to demonstrate the feasibility of compliance with the noise standards outlined in Section 87.0905 of this Title.

Adopted Ordinance 3801 (2000)

#### **88.1115 General Requirements.**

(a) **Structure Height:** The structure height limitations outlined in Title 8 of the San Bernardino County Code for each land use district in addition to the height regulations (Section 87.0405) included in Title 8 shall apply to all proposed wireless telecommunication facilities. Variances to these standards may be issued if approved in accordance with Section 83.030905 of the County Code .

(b) **Separation from Residential Use:** Telecommunication facilities and antennas shall not be located closer than a distance equal to 200% of the height of the tower from the property line of any parcel within a residential land use district or from a residential use within a Resource Conservation Land Use District, and 300 feet from any residence. Existing utility towers, utility streetlights and utility poles are exempt from this requirement. For the purposes of this subsection, "utility towers" do not include water tanks or towers.

(c) **Minimizing Impacts:** All telecommunications facilities shall be located and designed so as to minimize their visibility . To this end, all of the following measures shall be implemented for all telecommunications facilities and antennas, except facilities that are subject to a Land Use Review.

(1) **Co-location/Stealth Facilities:** No new telecommunication facilities or antennas that are visible from normal viewing points shall be installed on a site that is not already developed with telecommunication facilities or other public or quasi-public uses unless it blends with the surrounding existing natural and manmade environment in such a manner so as to be effectively unnoticeable, unless all of the following is provided:

(A) Technical evidence acceptable to the approving authority showing a clear and convincing need for this facility;

(B) The infeasibility of co-location on another facility or joint location (in an existing multi-user site, i.e. antenna farm), or provide clear evidence that co-location on an existing facility would result in a substantial impact; and

(C) The inability to stealth the facility.

(2) **Separation from Existing Facility:** No telecommunication facility or antenna that is visible from off-site shall be installed closer than two miles from another visible telecommunication facility or antenna unless it is a co-location facility, is situated on a multiple-user site, or technical evidence acceptable to the approving authority is submitted showing a clear and convincing need for this facility and the infeasibility of co-location or joint location of the facility in an existing multi-user site or stealthing the facility. This provision does not apply to architecturally integrated building-mounted facilities or other stealthed facilities. Existing utility towers, utility streetlights and utility poles are exempt from this requirement.

(3) **Height Measurement:**

(A) For ground mounted antennas, the height of the antenna structure shall be measured from the lowest natural undisturbed ground surface at the base of the tower to the top of the tower or to the top of the highest antenna or piece of equipment attached thereto whichever is greater.

(B) For building mounted antennas: the height of the antenna structure shall be measured from the top of the building on which the antenna is mounted to the top of the antenna or screening structure, whichever is higher. The height of antenna structures that are attached to a building shall be measured from the top of the building roof. The combined height of the building and the antenna shall not exceed the height regulations outlined in Section 87.0405 of this Title unless a variance is processed and approved.

(4) **Ridgeline Sites:** Telecommunication facilities in areas of high visibility within sensitive viewsheds shall be sited below the ridgeline and designed to minimize their profile (i.e. screened, depressed, or located behind berms.)

(5) **Non-reflective Colors:** All buildings, poles, towers, antenna supports, antennas and other components of each telecommunication site shall be treated with non-reflective colors to provide concealment.

(6) **Camouflaging:** For facilities which are not stealthed, towers and ground equipment shall blend with the predominant viewing background, except when such treatment does not comply with Federal Aviation Authority (FAA) requirements.

(7) **Support Facilities:** Freestanding above ground telecommunication support facilities (equipment shelters) shall be no taller than one story in height and shall be constructed to look like a structure or facility typically found in the area.

(8) **Parking:** Parking for service vehicles may be permitted on site and may be required to be screened.

(9) **Lighting:** Outside lighting is prohibited unless required by the FAA or the Uniform Building Code (UBC).

(10) **Dish Design:** Other than existing antenna farms, open mesh design shall be utilized for microwave dishes wherever possible.

(11) **Area Disturbance:** Avoid or minimize disturbance to the natural landscape. Applicant shall repair disturbed areas immediately following construction. Unnecessary disturbance of areas surrounding the site shall be avoided, utilizing existing disturbed areas for storage of construction materials and by flagging boundaries of the construction area and notifying workers of limits of construction and the need to minimize site damage.

(12) **Power and Communication Lines:** No aboveground power or communication lines shall be extended to the site, unless clear and convincing evidence demonstrates that undergrounding such lines would result in substantial environmental impacts. All underground utilities shall be installed in a manner to minimize the disturbance of existing vegetation and wildlife habitats.

Adopted Ordinance 3801 (2000)

**88.1120 Review Procedures.**

All wireless telecommunications facility projects shall be subject to a Conditional Use Permit and require a public hearing before the Planning Commission, except as follows:

(a) The following projects shall be subject to an Land Use Review in accordance with Article 3 of Chapter 3 of Division 3 of this Title, provided they do not require a variance and are not located in a residential area:

(1) Any building or roof mounted antenna that does not extend above the top of the parapet wall by more than 12 feet above and that is screened from public view or painted to match the structure; including any antennas proposed to be located on pitched roof surfaces.

(2) Antennas mounted on or contained within other existing structures, such as steeples, signs, water tanks, pump stations, utility poles, ball field lighting, etc., in such a manner as to not be identifiable as a wireless communication facility. This may include the replacement of an existing structure to accommodate a wireless telecommunications facility.

(3) The co-location of a new antenna to an existing approved support structure, or the replacement of an existing approved support structure in order to co-locate a new antenna, without an increase in height .

(4) Addition or change of antennas or microwave dishes of similar size and shape on any existing facility in an existing antenna farm.

(5) Change of antennas on any existing facility which does not result in increase visibility of the structure.

The following requirements apply to all facilities described in this subsection. All utility or accessory equipment must be screened from view from any residence or state or county maintained road and the screening material shall be architecturally integrated with the building, structure or landscaping so as not to be recognizable as an accessory equipment structure.

(b) The following projects shall be subject to a Conditional Use Permit using Administrative Review procedures in accordance with Section 83.010215 and Article 1 of Chapter 3 of Division 3 both of this Title, provided they are not located in a residential area:

(1) Any stealth facility not included in Section 88.1120(a) above.

(2) Any facility within an existing multi-user wireless telecommunication facility (antenna farm) not included in Subsection 88.1120(a) above. Any such facility shall be subject to camouflaging requirements if visible from any residential area or county or state maintained road.

(3) Any co-location on an existing facility requiring an increase of height. Any such facility shall be subject to camouflaging requirements if visible from any residential area or county or state maintained road.

(4) Any facility not located within one mile of any state or county maintained road.

The following requirements apply to all facilities described in this subsection. All utility or accessory equipment must be screened from view from any residence or state or county maintained road and the screening material shall be architecturally integrated with the building, structure or landscaping so as not to be recognizable as an accessory equipment structure.

Adopted Ordinance 3801 (2000)

**88.1125 Project Notices.**

Notice of the application shall be provided to the Municipal Advisory Council (MAC) for the area, and to all property owners within the unincorporated area of the county within the following parameters:

(a) Urban areas (IL-1 and IL-2): 300 feet of the external boundaries of the parcel of the proposed site.

(b) Rurban areas (IL-3): 500 feet of the external boundaries of the parcel of the proposed site or to the property owners of at least 20 separate parcels, whichever is more.

(c) Rural Areas (IL-4 and IL-5): 1,000 feet of the external boundaries of the parcel of the proposed site or to the property owners of at least 20 separate parcels, whichever is more.

Adopted Ordinance 3801 (2000)

**88.1130 Review Factors.**

The reviewing authority shall consider the following factors in determining whether to issue a Conditional Use Permit:

(a) Height of the proposed tower;

(b) Proximity of the tower to residential structures and residential district boundaries;

(c) Nature of uses on adjacent and nearby properties;

(d) Surrounding tree coverage and foliage or other existing structures;

(e) Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness;

(f) Proposed ingress and egress; and

(g) Availability of suitable existing towers and other structures.

(h) Notwithstanding the above, prior to approving an application for a Conditional Use Permit, the reviewing authority shall find and justify that all of the findings included in Subsection 83.030120(d) are true.

Adopted Ordinance 3801 (2000)

**88.1135 Abandoned Sites.**

Any antenna or tower that is not operated for a continuous period of twelve (12) months shall be considered abandoned, and the owners of such antenna or tower shall remove same within ninety (90) days of receipt of notice from the County notifying the owner of such abandonment. The owner shall return the site to its approximate natural condition. If such antenna or tower is not removed within said ninety (90) days, the County may remove such antenna or tower at the owner's expense. If there are two or more users of a single tower, then this provision shall not become effective until all users cease using the tower.

Adopted Ordinance 3801 (2000)

**88.1140 Elevation of Approvals.**

Notwithstanding the provisions of Section 88.1120 above, any project which may be controversial and/or important policy questions may be referred to the Planning Commission for public hearing and action. The Planning Commission may refer such projects to the Board of Supervisors for public hearing and action.

Adopted Ordinance 3801 (2000)

**88.1145 Inter-jurisdictional Review.**

When any proposed telecommunications facility is located within the sphere of influence of any city within the county, the reviewing authority shall refer the project to the affected city for review and comment and the reviewing authority shall consider the requirements of the adopted telecommunications policies of that city and its comments, if any, on the proposed project.

Adopted Ordinance 3801 (2000)